

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, PENSION, WELFARE,
TRAINING AND LABOR MANAGEMENT
COOPERATION TRUST FUNDS OF THE
INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 14-14B, AFL-CIO, et al.,

Plaintiffs,

v.

CASABELLA CONTRACTING OF NY, INC.,

Defendant.

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ORDER

No. 21-CV-09532 (PMH)

PHILIP M. HALPERN, United States District Judge:

On December 22, 2023, the Court issued an order providing that this case would be administratively closed without prejudice to reopen within thirty days of the conclusion of the bankruptcy proceeding unless, by January 5, 2024, the parties filed a letter explaining why this stayed case should remain open and active on the Court's docket. (Doc. 35). The parties have not filed any letter or otherwise communicated with the Court to date.

Accordingly, it is hereby ORDERED that the Clerk of Court shall administratively close this case, without prejudice to either party moving by letter motion to reopen the case within thirty days of the conclusion of the bankruptcy proceeding or other vacatur of the automatic stay.¹

All conferences or other scheduled court appearances are cancelled.

¹ See *Bernardino v. Barnes & Noble Booksellers, Inc.*, 763 F. App'x 101, 103 (2d Cir. 2019) (there is "no jurisdictional significance to [a] docket entry marking [a] case as 'closed,' which . . . was made for administrative or statistical convenience."); *Abreu v. Thomas*, No. 17-CV-01312, 2019 WL 11157245, at *1 (N.D.N.Y. July 19, 2019) ("Administrative closure is a docket management device which allows the removal of cases from the court's docket in appropriate situations . . . The effect of an administrative closure is the same as a stay" (internal citations and quotation marks omitted)).

SO ORDERED.

Dated: White Plains, New York
January 12, 2024



Philip M. Halpern
United States District Judge